

Serial No.: 09/913,995

### **REMARKS**

Applicant respectfully requests reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks. No additional fee is required for this Amendment as the number of independent claims has not changed, and the total number of claims has not changed.

### **Request for Telephone Interview**

Applicant kindly requests the Examiner to contact the undersigned at (847) 490-1400 to schedule a telephone interview, to discuss the merits of this Patent Application.

### **Amendment to the Claims**

Applicant has amended Claim 1 to further clarify the claimed invention by reciting the larger faces of two matching universal joints are disposed facing opposite directions from each other, and that the C-sectioned fixing element snaps to the matching universal joint. Applicant has amended Claim 18 to further clarify the claimed invention by reciting that each of the two folded and inverted edges of the C-sectioned fixing element snaps into a groove of one of two oppositely facing larger faces to hold together the two matched universal joints. Support for this Amendment

Serial No.: 09/913,995

can be found in FIGS. 4-6 and at page 7, first full paragraph, of Applicant's Substitute Specification. No new matter has been added to the claims by this Amendment.

### **Claim Rejections - 35 U.S.C. §103**

Claims 1-3, 5-7, 10, and 12-22 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gilberto, European Patent Publication EP 0 884 425 in view of Couse et al., U.S. Patent 2,882,564.

Applicant's invention includes two matched universal joints, each having a larger face that is disposed facing an opposite direction than the larger face of the other matched universal joint. A C-sectioned fixing element with two folded and inverted edges snaps to the two matched universal joints to hold them together, with each of the folded and inverted edges snapping into a groove in the two opposing larger faces. The use of the C-sectioned fixing element to hold two universal joints together in this manner is not disclosed or suggested in Gilberto.

In addition, Applicant's claimed combination sufficiently differs in form and application from the structure disclosed in Couse et al. such that Applicant's claimed invention would not have been obvious to one skilled in the art at the time the invention was made. The only way that the Examiner could have arrived at Applicant's claimed invention from the art relied upon, was to use Applicant's claims

as a starting point and rely on 100% hindsight. The Examiner looked at Applicant's claims alone as a starting point or "template" for the invention, instead of starting from the position of a person skilled in the art having no prior knowledge of the invention. Having gleaned an understanding of the invention from Applicant's claims, he worked backwards into the prior art, searching for the use of any generally "C-shaped" element that he could apply to Gilberto.

Couse et al. discloses an U-shaped binder member 44 having enlarged end portions for holding two abutting wall panels in an open, parallel hinged position. (Column 3, lines 15-22). As shown in Fig. 3 of Couse et al., the U-shaped binder member slides into two grooves which are located in the two adjacent surfaces which are disposed in the same plane and facing the same direction. Without the knowledge of Applicant's claimed invention and the benefits disclosed in Applicant's Substitute Specification, one skilled in the art would not find a motivation or suggestion in Gilberto or Couse et al., alone or in combination, or the knowledge generally available to one skilled in the art at the time of the invention, to apply an U-shaped binder member that slides into two grooves in two adjacent walls facing the same direction to opposing faces of joints in the manner disclosed and claimed by Applicant.

Applicant respectfully requests that for at least the reasons stated above, the rejection over the combination of Gilberto and Couse et al. be withdrawn.

Serial No.: 09/913,995

**Conclusion**

Applicant intends to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicant has not addressed in this response, Applicant's undersigned attorney requests a telephone interview with the Examiner.

Applicant sincerely believes that this Patent Application is now in condition for allowance and, thus, respectfully requests early allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Swanson', with a long horizontal line extending to the right.

Mark D. Swanson  
Regis. No. 48,498

Pauley Petersen & Erickson  
2800 West Higgins Road  
Suite 365  
Hoffman Estates, Illinois 60195  
(847) 490-1400  
FAX (847) 490-1403